IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No.21710 of 2003

Between:

1 Y.Hazararathiah S/o Penchalaiah
Y.Hazararathiah 33/11 KV Annagaripalem,
Kavali Rural Section, Kavali Mandal, Nellore Dt.
2 B.Raveendra S/o B.Srinivasulu
3 P.Edukondalu s/o P.Shankaraiah
P.Edukondalu 33/11 KV Sub-Station Pantapalem
Muthkur Mandal, Nellore Dt.

..... PETITIONERS

AND

1 Southern Power Distribution Company of AP Ltd.
The chairman and Managing Director Southern Power Distribution Company of AP Ltd. Tirupati, Chittoor District.
2 The Superintending Engineer Operation Circle
The Superintending Engineer Operation Circle Southern Power Distribution Company of AP Ltd, Dargamitta, Nellore.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to declare the impugned action of the respondents in filing the maximum age limit as 25 years for OC candidates and 30 years for other candidates for the post of JLM notified vide notification dated 14-8-2003 without awarding any relaxation in favour of contract labour and further action of the respondents in not giving any preference to the Apprenticeship candidates as highly illegal, arbitrary and violative of ARt. 4 and 16 of the Constitution of India apart from contrary to the service regulations of the then APSEB and pass such other order or orders in the interest of justice.

Counsel for the Petitioners:MR.G.V.SHIVAJI

Counsel for the Respondents: MR.SAMINENI KISHORE

The Court made the following :

ORDER:

Challenging the action of the respondents in fixing the maximum age limit as 25 years for O.C., candidates and 30 years for other candidates for the post of JLM notified vide notification dated 14.08.2003 without relaxing the age in respect of Contract Labour and further action of the respondents in not giving any preference to the apprenticeship candidates, the present writ petition is filed.

It is stated by the learned counsel for both the parties that the issue involved in this petition is squarely covered by the decision of this Court in a batch of writ petitions in W.P.No.13678 of 2003 and batch, wherein, the learned Judge held that it shall be open to the petitioners therein to make representations to the respondent-Management therein seeking relaxation of any age and on filing such representations, it is open for the respondent to consider the same and pass appropriate orders.

Therefore, without entering into the merits of the case, following the decision in the above W.Ps. the writ petition is disposed of granting liberty to the petitioners to file a representation before the respondent and respondents are directed to consider the same within 90 days from the date of the representation of the petitioners, in the vacancies which were kept vacant as per the interim directions of this Court dated 10.11.2003. No costs.

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13.06.2005

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To

1 Southern Power Distribution Company of AP Ltd.
The chairman and Managing Director Southern Power Distribution Company of AP Ltd. Tirupati, Chittoor District.
2 The Superintending Engineer Operation Circle
The Superintending Engineer Operation Circle Southern Power Distribution Company of AP Ltd, Dargamitta, Nellore.

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